



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

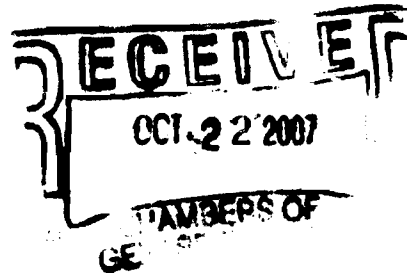
MICHAEL A. CARDOZO
Corporation Counsel

Andrew J. Rauchberg
phone: 212-788-0889
fax: 212-788-0940
email: arauchbe@law.nyc.gov

October 19, 2007

BY HAND

Hon. Gerard E. Lynch
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 910
New York, New York 10007



Re: Tarlowe and Jonas o/b/o Jonas v. NYC Board of Education, 07-CV-7936

Dear Judge Lynch,

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorneys for the Department of Education in the case referenced above, in which the parents of a minor student seek tuition reimbursement after unilaterally placing the student in a private school.

I write to request that the time for defendant to respond to the complaint be extended to October 29, 2007. The current date is October 22, 2007. This is the second such request defendant has made. Your Honor granted defendant's first request to extend the date from October 1, 2007. Plaintiffs' counsel, Jesse Cole Foley of Skyer, Catro, Foley and Gersten, has consented to this proposed extension. J*

An unexpected emergency matter has made it impossible for defendant's counsel to fully investigate plaintiff's allegations and then submit an appropriate response by the current due date. This office should be able to properly address the instant action within this short extension. Accordingly, I respectfully request an extension of defendant's time to answer or move with respect to the complaint until October 29, 2007.

*SO ORDERED


GERARD E. LYNCH, U.S.D.J.

10/22/07